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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SCHNEIDER RUCINSKI ENTERPRISES, a California Company,) Case No. 3:08-cv-00138-WQH-POR
)
Plaintiff,	) Date: April 21, 2008
	) Time: 11:00 a.m.
vs.)
	) Judge: Hon. William Q. Hayes
TOUCH ASIA OUTSOURCING)
SOLUTIONS, INC. dba TOUCH ASIA	) DEFENDANT STRATASOFT, INC.'S
CALL CENTER, INC., a California	) NOTICE OF MOTION AND MOTION TO
Corporation; RUDY NGAW, an individual;	) DISMISS COMPLAINT FOR LACK OF
STRATASOFT, INC.; INX, INC., a Texas	) SUBJECT MATTER JURISDICTION
Corporation formerly known as I-SECTOR	) [FRCP 12(b)(1)]
CORPORATION; and DOES 1 through 20,)
inclusive,	) [NO ORAL ARGUMENT UNLESS
	) REQUESTED BY THE COURT]
Defendants.)
	) Complaint Filed: January 23, 2008

**TO THE COURT, PLAINTIFF, AND ALL PARTIES AND THEIR RESPECTIVE
COUNSEL:**

PLEASE TAKE NOTICE THAT: On April 21, 2008, at 11:00 a.m., or as soon
thereafter as the Court can hear the matter, Defendant STRATASOFT, INC.
("STRATASOFT") will move the Court for an order dismissing this action pursuant to Fed. R.
Civ. Pro 12(b)(1) on the ground that the Complaint on its face fails to allege facts sufficient to
establish subject matter jurisdiction in that it fails to allege complete diversity between the
Plaintiff and all Defendants. Accordingly, the Court must dismiss the action on this ground.

1 This motion is based upon this Notice of Motion, the accompanying Memorandum of
2 Points & Authorities, the Court's file and records and such other evidence and argument as the
3 Court may permit at a hearing on this motion.

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5 Dated: March 14, 2008

Respectfully submitted

6 WALLER LANSDEN DORTCH & DAVIS, LLP

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8 By: /s/
9 John E. McOske
10 Attorneys for Defendants
11 Stratasoft, Inc. and INX, Inc.
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